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Attorneys for Defendant  
BRENDA M. O. CHUNG (02)

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

|                           |   |                           |
|---------------------------|---|---------------------------|
| UNITED STATES OF AMERICA, | ) | CR. NO. 02-00225 DAE      |
|                           | ) |                           |
| Plaintiff,                | ) | DEFENDANT BRENDA M. O.    |
|                           | ) | CHUNG'S (02) MOTION IN    |
| vs.                       | ) | LIMINE NO. 1; DECLARATION |
|                           | ) | OF COUNSEL; MEMORANDUM    |
| ANDY S. S. YIP, (01)      | ) | OF LAW; CERTIFICATE OF    |
| BRENDA M. O. CHUNG, (02)  | ) | OF SERVICE                |
|                           | ) |                           |
| Defendants.               | ) | Trial: February 21, 2007  |
|                           | ) | Judge: David A. Ezra      |

DEFENDANT BRENDA M. O. CHUNG'S (02) MOTION IN LIMINE NO. 1

Comes now Defendant, Brenda M. O. Chung (02), by and through her undersigned counsel, and hereby moves this Honorable Court to exclude the following evidence from the government's case-in-chief at trial in the instant case:

Testimonial or documentary evidence relating to any "bad acts" as defined in Federal Rules of Evidence Rule 404(b), involving Defendant.

Testimonial or documentary evidence relating to any unfavorable evidence against Defendant which may not technically be considered “bad acts” under Federal Rules of Evidence Rule 404, but which should nevertheless be excluded as irrelevant under Federal Rules of Evidence Rule 402, or as unfairly prejudicial under Federal Rules of Evidence Rule 403.

This motion is made pursuant to Rules 2, 12(3)(B), 14(a), and 47 of the Federal Rules of Criminal Procedure, Rules 102, 105, 402, 403, and 404(b) of the Federal Rules of Evidence, the Fifth, Sixth, and Fourteenth Amendments to the United States Constitution, the Declaration of Counsel and Memorandum of Law appended hereto, and such evidence that may be adduced and argument that may be heard at the hearing of the instant motion.

DATED: Honolulu, Hawaii, February 7, 2007.

/s/ Howard K. K. Luke  
HOWARD K. K. LUKE  
DAVID M. HAYAKAWA

Attorneys for Defendant  
BRENDA M. O. CHUNG (02)